

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ROBERT ALLEN, et al.,	)	CIVIL NO. S-03-1358-DAE-RJJ
	)	Consolidated with
Plaintiffs,	)	CIVIL NO. S-05-0472-DAE-RJJ
	)	
vs.	)	
	)	
J. GREGORY DAMM, et al.,	)	
	)	
Defendants.	)	
_____	)	

ORDER REQUIRING PLAINTIFFS TO FILE A STATEMENT OF INTENT  
TO PROCEED WITH THE INSTANT ACTION

On September 7, 2010, this Court held a status conference in this action. (Doc. # 225.) Plaintiffs Lee Belcher, Lori Kahre, Julio Vargas, Gustavo Gutierrez, Shirley Boyse, and Sherri Arendell appeared at the hearing pro se. Although no other Plaintiffs attended, nine of the status conference notices sent by the Court were returned to the Court as undeliverable, and one Plaintiff sent notice that he would not attend. (See Docs. ## 219-224.)

The status of a being “plaintiff” requires that each plaintiff, if not represented by counsel, be responsible for updating address/contact information with the Clerk’s Office so that all notices, orders, and other documents filed in this action can be properly served by the Court and received by the parties. Further,

Plaintiffs proceeding pro se must personally represent themselves and may not appear for or represent other Plaintiffs in an action. See, e.g., Simon v. Hartford Life, Inc., 546 F.3d 661, 664 (9th Cir. 2008).

Due to the apparent lack of inattention to this matter by Plaintiffs, the Court **ORDERS** that each Plaintiff who wishes to move forward with this action fill out and return to the Court the form “Statement of Intent to Proceed with the Instant Action” attached hereto. Each Plaintiff whose mail (order and form) is returned as undeliverable and those Plaintiffs who do not respond (postmark date) on or before October 18, 2010, will be dismissed with prejudice from this action.

IT IS SO ORDERED.

DATED: Honolulu, Hawai`i, September 17, 2010.

A handwritten signature in black ink, appearing to read 'DAVID ALAN EZRA', with a long horizontal line extending to the right.

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DAVID ALAN EZRA  
UNITED STATES DISTRICT JUDGE

Allen, et al., v. Damm, et al., Cv. Nos. S-03-1358-DAE-RJJ, S-05-0472-DAE-RJJ; ORDER REQUIRING PLAINTIFFS TO FILE A STATEMENT OF INTENT TO PROCEED WITH THE INSTANT ACTION

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vs.	)	
	)	
J. GREGORY DAMM, et al.,	)	
	)	
Defendants.	)	
_____	)	

STATEMENT OF INTENT TO PROCEED WITH THE INSTANT ACTION

\_\_\_\_\_ I DO wish to proceed as a plaintiff in this action.

OR

\_\_\_\_\_ I DO NOT wish to proceed as a plaintiff in this action.

For Plaintiffs wishing to proceed in this action:

I, \_\_\_\_\_, attest as follows:

\_\_\_\_\_ I am now represented by counsel in this action.

\_\_\_\_\_ I DO NOT have counsel in this action. I am proceeding pro se currently and [do] / [do not] intend to try to obtain counsel. I understand that because I am proceeding pro se, it is my responsibility to diligently and personally pursue this action and abide by the Local Rules of Practice for the District of Nevada and the Federal Rules of Civil Procedure and that I am personally responsible for the payment of costs and fees as are or may be required by the pertinent federal rules or orders of the Court.

\_\_\_\_\_  
NAME

\_\_\_\_\_  
SIGNATURE